

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1480 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3       "SECTION 1. IC 33-37-7-8, AS AMENDED BY P.L.174-2006,  
4 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2007]: Sec. 8. (a) The clerk of a city or town court shall  
6 distribute semiannually to the auditor of state as the state share for  
7 deposit in the state general fund fifty-five percent (55%) of the amount  
8 of fees collected under the following:  
9       (1) IC 33-37-4-1(a) (criminal costs fees).  
10       (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
11       (3) IC 33-37-4-4(a) (civil costs fees).  
12       (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
13       (5) IC 33-37-5-17 (deferred prosecution fees).  
14       (b) The city or town fiscal officer shall distribute monthly to the  
15 county auditor as the county share twenty percent (20%) of the amount  
16 of fees collected under the following:  
17       (1) IC 33-37-4-1(a) (criminal costs fees).  
18       (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).  
19       (3) IC 33-37-4-4(a) (civil costs fees).  
20       (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).  
21       (5) IC 33-37-5-17 (deferred prosecution fees).  
22       (c) The city or town fiscal officer shall retain twenty-five percent  
23 (25%) as the city or town share of the fees collected under the

1 following:

- 2 (1) IC 33-37-4-1(a) (criminal costs fees).
- 3 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 4 (3) IC 33-37-4-4(a) (civil costs fees).
- 5 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- 6 (5) IC 33-37-5-17 (deferred prosecution fees).

7 (d) The clerk of a city or town court shall distribute semiannually to  
 8 the auditor of state for deposit in the state user fee fund established in  
 9 IC 33-37-9 the following:

- 10 (1) Twenty-five percent (25%) of the drug abuse, prosecution,  
 11 interdiction, and ~~corrections~~ **correction** fees collected under  
 12 IC 33-37-4-1(b)(5).
- 13 (2) Twenty-five percent (25%) of the alcohol and drug  
 14 countermeasures fees collected under IC 33-37-4-1(b)(6),  
 15 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
- 16 (3) One hundred percent (100%) of the highway work zone fees  
 17 collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
- 18 (4) One hundred percent (100%) of the safe schools fee collected  
 19 under IC 33-37-5-18.
- 20 (5) One hundred percent (100%) of the automated record keeping  
 21 fee (IC 33-37-5-21).

22 (e) The clerk of a city or town court shall distribute monthly to the  
 23 county auditor the following:

- 24 (1) Seventy-five percent (75%) of the drug abuse, prosecution,  
 25 interdiction, and ~~corrections~~ fees collected under  
 26 IC 33-37-4-1(b)(5).
- 27 (2) Seventy-five percent (75%) of the alcohol and drug  
 28 countermeasures fees collected under IC 33-37-4-1(b)(6),  
 29 IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

30 The county auditor shall deposit fees distributed by a clerk under this  
 31 subsection into the county drug free community fund established under  
 32 IC 5-2-11.

33 (f) The clerk of a city or town court shall distribute monthly to the  
 34 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred  
 35 percent (100%) of the following:

- 36 (1) The late payment fees collected under IC 33-37-5-22.
- 37 (2) The small claims service fee collected under  
 38 IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).
- 39 (3) The small claims garnishee service fee collected under  
 40 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).

41 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit  
 42 fees distributed by a clerk under this subsection in the city or town  
 43 general fund.

44 (g) The clerk of a city or town court shall semiannually distribute to  
 45 the auditor of state for deposit in the state general fund one hundred  
 46 percent (100%) of the following:

- 1 (1) The public defense administration fee collected under  
2 IC 33-37-5-21.2.
- 3 (2) The DNA sample processing fees collected under  
4 IC 33-37-5-26.2.
- 5 (3) The court administration fees collected under IC 33-37-5-27.
- 6 (h) The clerk of a city or town court shall semiannually distribute to  
7 the auditor of state for deposit in the judicial branch insurance  
8 adjustment account established by IC 33-38-5-8.2 one hundred percent  
9 (100%) of the judicial insurance adjustment fee collected under  
10 IC 33-37-5-25.
- 11 (i) The clerk of a city or town court shall semiannually distribute to  
12 the auditor of state for deposit in the state general fund seventy-five  
13 percent (75%) of the judicial salaries fee collected under  
14 IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five  
15 percent (25%) of the judicial salaries fee collected under IC 33-37-5-26  
16 **as the city or town share: to fund the operation of the city or town**  
17 **court."**
- 18 Renumber all SECTIONS consecutively.  
(Reference is to HB 1480 as printed February 20, 2007.)

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Representative Turner